Supreme Court, U.S.
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No. 98-915

In The

Supreme Court of the United States

October Term, 1998

FEATHER O. HOUSTOUN, *et al.*,

Petitioners,

v.

EDWIN MALDONADO, *et al.*,

Respondents.

On Petition For Writ Of Certiorari To The United States Court Of Appeals For The Third Circuit

MEMORANDUM OF RESPONDENTS IN RESPONSE TO PETITION FOR CERTIORARI

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MEMORANDUM OF RESPONDENTS IN RESPONSE TO PETITION FOR CERTIORARI

Respondents respectfully submit this Memorandum in response to the Petition for Certiorari of Petitioners Feather O. Houstoun, *et al.*

On September 29, 1998, this Court granted certiorari in *Anderson v. Roe,* No. 98-97, to review the constitutionality of California's one-year multi-tier residency requirement for cash assistance. Both *Anderson* and the present case involve the constitutionality of durational residency requirements. Through these statutes, Pennsylvania and other states have attempted to limit the amount of welfare assistance available to newly arrived residents. The United States Court of Appeals for the Third Circuit held Pennsylvania's durational residency requirement unconstitutional, as the Ninth Circuit held California's in *Anderson.*

The Court's resolution of *Anderson* will in all probability affect its analysis of this case. Thus, as the Commonwealth suggested in its Petition, *see* Cert. Pet. 12, it would therefore be appropriate for the Court to defer action on this petition until *Anderson* has been decided.

Should the Court defer this petition pending a decision in *Anderson,* Respondents respectfully request the opportunity to file a Supplemental Memorandum that would address both the merits of the Commonwealth's

petition and the impact of *Anderson* on the resolution of the present case.

Respectfully submitted,

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